

Nicholas Espíritu (SBN 237665)
NATIONAL IMMIGRATION LAW CENTER
3450 Wilshire Boulevard, #108-62
Los Angeles, CA 90010
Telephone: (213) 639-3900
Fax: (213) 639-3911
espiritu@nilc.org

Antionette Dozier (SBN 244437)
WESTERN CENTER ON LAW & POVERTY
3701 Wilshire Boulevard, Suite 208
Los Angeles, CA 90010
Tel: (213) 487-7211
Fax: (213) 487-0242
adozier@wclp.org

Martha Jane Perkins (SBN 104784)
NATIONAL HEALTH LAW PROGRAM
200 N. Greensboro Street, Ste. D-13
Carrboro, NC 27510
Tel.: (919) 968-6308
Fax: (919) 968-8855
perkins@healthlaw.org

Laboni Hoq (SBN 224140)
ASIAN AMERICANS ADVANCING JUSTICE – LOS ANGELES
1145 Wilshire Blvd., 2nd Floor
Los Angeles, CA 90017
Telephone: (213) 977-7500
Fax: (213) 977-7500
lhoq@advancingjustice-la.org

Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

LA CLINICA DE LA RAZA, ET AL.,

Plaintiffs,
v.

DONALD J. TRUMP, ET AL.

Defendants.

Case No. 4:19-cv-4980-HSG

**PLAINTIFFS' ADMINISTRATIVE
MOTION TO EXCEED
APPLICABLE PAGE
LIMITATIONS FOR PLAINTIFFS'
MOTION FOR PRELIMINARY
INJUNCTION**

JUDGE: Hon. Haywood S. Gilliam, Jr.
TRIAL DATE: None set

1 **NOTICE OF MOTION AND MOTION FOR ADMINISTRATIVE RELIEF**

2 PLEASE TAKE NOTICE THAT pursuant to N.D. Cal. Civil Local Rule 7-11, Plaintiffs
3 respectfully request an order granting Plaintiffs’ motion to exceed the applicable page limitations
4 in their forthcoming Memorandum of Law in support of their Motion for Preliminary Injunction,
5 to exceed the 25-page limit that would otherwise apply by 10 pages, for a total of 35 pages.
6 Plaintiffs request this extension to fully address the history of the public charge regulation, the
7 complex claims on which Plaintiffs are moving, and to provide sufficient evidence detailing the
8 harms caused by Defendants’ Regulation.

9 **DISCUSSION**

10 On Friday, August 16, 2019, Plaintiffs filed a complaint challenging the new public charge
11 regulation, “Inadmissibility on Public Charge Grounds,” 84 Fed. Reg. 41,292 (Aug. 14, 2019) (to
12 be codified at 8 C.F.R. Parts 103, 212-14, 245, 248) (hereinafter, Regulation) issued by
13 Defendants. The complaint addresses four claims under the Administrative Procedure Act, the
14 Constitution’s guarantee to equal protection, and the Declaratory Judgment Act. *La Clínica de la*
15 *Raza, et al., v. Trump, et al.*, Case No. 4:19-cv-04980 (N.D. Cal. Aug. 16, 2019), ECF No. 1.

16 Plaintiffs will be filing a motion for injunctive relief to prevent the Regulation from being
17 implemented and to avoid further unnecessary harms to Plaintiffs and immigrant communities
18 who are already being harmed by Defendants’ Regulation. In their motion, Plaintiffs will address
19 their likelihood of success on their claims, show the significant, irreparable harm that Plaintiffs
20 will face absent an injunction, and explain why issuing the injunction is in the public’s interest.

21 While Plaintiffs have attempted in good faith to meet the 25-page limit, Plaintiffs require
22 additional pages to fully address the complex background of public charge, explain Plaintiffs’
23 claims adequately, address the numerous harms stemming from Defendants’ Regulation, and to
24 offer sufficient evidence regarding Defendants’ 217-page Regulation, which Defendants finalized
25 after receiving over 260,000 comments – the vast majority in opposition. In a similar lawsuit to
26 the public charge regulation, Plaintiffs the State of California, the District of Columbia, the State
27 of Maine, the Commonwealth of Pennsylvania, and the State of Oregon have also moved for an
28 extension of the applicable page limits, also requesting an additional 10 pages. *See State of*

1 *California, et al., v. U.S. Department of Homeland Security, et al.*, Case No. 3:19-cv-04975 (N.D.
2 Cal. Aug. 16, 2019), ECF No. 19.

3 Plaintiffs' counsel has been in touch with Defendants' counsel regarding this request, and
4 Defendants advised that they take no position. Plaintiffs would not oppose a similar request from
5 Defendants to extend the page limitations to 35 pages in their response to Plaintiffs' motion for
6 injunctive relief.

7 **CONCLUSION**

8 For the reasons set forth above, Plaintiffs respectfully request that this Court GRANT their
9 motion to exceed the applicable page limitations in their forthcoming memorandum of law
10 supporting their motion for injunctive relief.

11 Dated: August 29, 2019

12 Respectfully submitted,

13 /s/ Nicholas Espíritu

14 NICHOLAS ESPÍRITU (SBN 237665)

15 espiritu@nilc.org

16 LINTON JOAQUIN (SBN 73547)

17 joaquin@nilc.org

18 ALVARO M. HUERTA (SBN 274787)

19 huerta@nilc.org

20 MAYRA B. JOACHIN (SBN 306065)

21 joachin@nilc.org

22 NATIONAL IMMIGRATION LAW CENTER

23 3450 Wilshire Boulevard, #108-62

24 Los Angeles, CA 90010

25 Telephone: (213) 639-3900

26 Fax: (213) 639-3911

27 ANTIONETTE DOZIER (SBN: 244437)

28 adozier@wclp.org

ROBERT D. NEWMAN (SBN) 86534)

rnewman@wclp.org

DAVID KANE (SBN: 292186)

dkane@wclp.org

WESTERN CENTER ON LAW & POVERTY

3701 Wilshire Boulevard, Suite 208

Los Angeles, CA 90010

Tel: (213) 487-7211

Fax: (213) 487-0242

MARTHA JANE PERKINS (SBN 104784)

perkins@healthlaw.org

NATIONAL HEALTH LAW PROGRAM

200 N. Greensboro Street, Ste. D-13
Carrboro, NC 27510
Tel.: (919) 968-6308
Fax: (919) 968-8855

LABONI HOQ (SBN 224140)
lhoq@advancingjustice-la.org
YANIN SENACHAI (SBN 288336)
ysenachai@advancingjustice-la.org
MICHELLE (MINJU) CHO (SBN 321939)
mcho@advancingjustice-la.org
ASIAN AMERICANS ADVANCING JUSTICE –
LOS ANGELES
1145 Wilshire Blvd., 2nd Floor
Los Angeles, CA 90017
Telephone: (213) 977-7500
Fax: (213) 977-7500

TANYA BRODER (SBN 136141)
broder@nilc.org
NATIONAL IMMIGRATION LAW
CENTER
2030 Addison Street, Suite 420
Berkeley, CA 94704
Telephone: (510) 663-8282
Fax: (213) 639-3911

JOANNA ELISE CUEVAS INGRAM** (SBN 290011)
cuevasingram@nilc.org
NATIONAL IMMIGRATION LAW
CENTER
P.O. Box 170392
Brooklyn, NY 11217
Telephone: (213) 377-5258
Fax: (213) 377-5258

MAX S. WOLSON*
wolson@nilc.org
NATIONAL IMMIGRATION LAW
CENTER
P.O. Box 34573
Washington, D.C. 20043
Telephone: (202) 216-0261
Fax: (202) 216-0266

* Admitted *Pro hac vice*

**Admitted to Practice in New York and California

Attorneys for Plaintiffs

PROOF OF SERVICE

La Clinica de La Raza, et al. v. Donald J. Trump, et al.
Case No. 4:19-cv-4980-HSG

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

At the time of service, I was over 18 years of age and **not a party to this action**. I am employed in the County of Los Angeles, State of California. My business address is 3450 Wilshire Boulevard, #108-62, Los Angeles, CA 90010.

On August 29, 2019, I served true copies of the following document(s) described as **PLAINTIFFS' ADMINISTRATIVE MOTION TO EXCEED APPLICABLE PAGE LIMITATIONS FOR PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION** on the interested parties in this action as follows:

SEE ATTACHED SERVICE LIST

BY CM/ECF NOTICE OF ELECTRONIC FILING: I electronically filed the document(s) with the Clerk of the Court by using the CM/ECF system. Participants in the case who are registered CM/ECF users will be served by the CM/ECF system. Participants in the case who are not registered CM/ECF users will be served by mail or by other means permitted by the court rules.

BY E-MAIL: Pursuant to agreement, I also caused a copy of the documents to be sent by electronic mail to the e-mail addresses as indicated below.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Executed on August 29, 2019, at Los Angeles, California.

/s/ Nicholas Espíritu
Nicholas Espíritu

SERVICE LIST

**Case Name
Number**

Joshua Kolsky
joshua.kolsky@usdoj.gov
U.S. Department of Justice

Attorney for defendants, DONALD J. TRUMP, in his Official Capacity as President of the United States; UNITED STATES DEPARTMENT OF HOMELAND SECURITY; UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES; KENNETH T. CUCCINELLI, in his Official Capacity as Acting Director of U.S. Citizenship and Immigration Services; and KEVIN K. MCALEENAN, in his Official Capacity as Acting Secretary of the Department of Homeland Security